IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

Dr. Anand Sharma Vs. Lakhman Rai Rathore & Ors.

S.B.CR. MISC. PETITION NO.646/2007

DATE OF ORDER :: July 18, 2007

PRESENT

HON'BLE MR.JUSTICE H.R.PANWAR

Mr.Rakesh Arora, for the petitioner.

BY THE COURT:

By the instant criminal misc. petition under section 482 Cr.P.C., the petitioner seeks following directions:

(i)not to allow respondent No.8, Shri Sunder Lal Bhandari, Advocate to plead cause in contempt petition No.177/05 (Criminal Misc.) on behalf of respondents No.1 to 6; and

(ii) to pass necessary orders against the respondents No.1 to 6 looking to their absence or non representation in Case No.177/05 (Criminal Misc.).

I have heard learned counsel for the petitioner. Perused the order dt.28.1.2006.

It is contended by the learned counsel for the petitioner that Shri Sunder Lal Bhandari, Advocate is not the person authorized to appear on behalf of contemner in the contempt petition pending before the District and Sessions Judge, Dungarpur.

From perusal of the order of the learned Sessions Judge, Dungarpur dt. 28.1.2006, it shows that in case No.177/2005, District Superintendent of Police and District Collector, Dungarpur authorized Mr. Sunder Lal Bhandari to appear on behalf of contemner therein and accordingly he appeared and filed reply to the contempt petition. Thus, it cannot be said that Mr. Sunder Lal Bhandari has not been authorized by the District Collector, Dungarpur to appear on behalf of respondents. The respondents in this case are almost all are the police officials and if they are defended by representing them through counsel engaged by State machinery i.e. through Distt. Collector, no fault can be found therein.

In this view of the matter, the petition is, therefore, dismissed.

(H.R.PANWAR),J.

m.asif/-